



## LEGISLATURE

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## Idaho Statutes

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 TITLE 7  
SPECIAL PROCEEDINGS

 CHAPTER 7  
EMINENT DOMAIN

7-701. **USES FOR WHICH AUTHORIZED.** Subject to the provisions of this chapter, the right of eminent domain may be exercised in behalf of the following public uses:

1. Public buildings and grounds for the use of the state, and all other public uses authorized by the legislature.
2. Public buildings and grounds for the use of any county, incorporated city or school district; canals, aqueducts, flumes, ditches or pipes for conducting water for use on state property or for the use of the inhabitants of any county or incorporated city, or for draining state property for any county or incorporated city, raising the banks of streams, removing obstructions therefrom and widening, deepening or straightening their channels, roads, streets, alleys, and all other public uses for the benefit of the state or of any county, incorporated city or the inhabitants thereof.
3. Wharves, docks, piers, chutes, booms, ferries, bridges, toll roads, byroads, plank and turnpike roads, steam, electric and horse railroads, reservoirs, canals, ditches, flumes, aqueducts and pipes, for public transportation supplying mines and farming neighborhoods with water, and draining and reclaiming lands, and for storing and floating logs and lumber on streams not navigable.
4. Roads, tunnels, ditches, flumes, pipes and dumping places for working mines; also outlets, natural or otherwise, for the flow, deposit or conduct of tailings or refuse matter from mines; also, an occupancy in common by the owners or possessors of different mines of any place for the flow, deposit or conduct of tailings or refuse matter from their several mines.
5. Byroads, leading from highways to residences and farms.
6. Telephones, telegraph and telephone lines.
7. Sewerage of any incorporated city.
8. Cemeteries for the burial of the dead, and enlarging and adding to the same and the grounds thereof.
9. Pipe lines for the transmission, delivery, furnishing or distribution of natural or manufactured gas for light, heat or power, or for the transportation of crude petroleum or petroleum products; also for tanks, reservoirs, storage, terminal and pumping facilities, telephone, telegraph and power lines necessarily incident to such pipe lines.
10. Snow fences or barriers for the protection of highways from drifting snow.
11. **Electric distribution and transmission lines for the delivery, furnishing, distribution, and transmission of electric current for power, lighting, heating or other purposes; and structures, facilities and equipment for the production, generation, and manufacture of electric current for power, lighting, heating or other purposes.**

**History:**

[(7-701) C.C.P. 1881, sec. 851; R.S., sec. 5210; am. 1903, p. 203, sec. 1; reen. R.C., & C.L., sec. 5210; C.S., sec. 7404; am. 1923, ch. 98, sec. 2, p. 122; am. 1931, ch. 39, sec. 1, p. 74; I.C.A., sec. 13-701; am. 1933, ch. 211, sec. 1, p. 443; am. 1951, ch. 58, sec. 1, p. 85; am. 1974, ch. 136, sec. 1, p. 1340.]

How current is this law?

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